THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.17491 OF 2007

DATED 5TH SEPTEMBER, 2007

Between:

Talluri Subramanyam …Petitioner

And

The Deputy Commercial Tax Officer
And another …Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.17491 OF 2007

O R D E R (Per the Hon'ble Sri Justice Bilal Nazki):

Heard learned counsel for the parties.

Counter has been filed. There is no dispute that the petitioner has stood surety on behalf of the dealer for the year 2001-2002, but the present dispute relates to alleged default of the dealer for the year 2003-2004. As such no action could be taken against the petitioner.

Similar issue was concluded by a judgment of this Court in **New Kamal Bar & Café, Hyderabad Vs.State of A.P.&Others**[1]. Therefore, following the same judgment, this writ petition is allowed and the impugned notice of sale is quashed. However, the respondents shall be at liberty to recover the tax dues from the dealer in accordance with law. No order as to costs.

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Bilal Nazki,J

Dated 5th September, 2007

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Ramesh Ranganathan,J

vrn

[1] 42 APSTJ 77